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10/723,165	11/26/2003	Yasuhiko Uchida	ITECP006	8300

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EXAMINER
RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/723,165	UCHIDA ET AL.
Office Action Summary	Examiner	Art Unit	
	Vincent M. Rudolph	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 November 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-59</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-59</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>28 June 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed
publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-11, 27-30 and 35-44 are rejected under 35 U.S.C. 102(a) as being

anticipated by Hitaka (US Pub. # 20020095352).

Regarding claim 1, Hitaka (US Pub. #.20020095352) discloses a print job

creation apparatus (client PC, See Figure 1, Element 100) that creates a print job and

gives an instruction of executing the created print job (forms a document and creates a

print request to output the selected document, See Page 3, Paragraph 0038). This

includes a print job creation module (included within the client PC) that creates a print

job according to a predetermined process that includes setting the printing conditions

such as a paper size (request a print job that includes setting attribute information such

as a paper size, See Page 3, Paragraph 0038), a default device setting module

(included within the client PC) that selects a printing device for execution of a print job

from among multiple printing devices connected through the network (a printer is

searched from the print shop using the print settings, See Page 7, Paragraph 0097) and

setting the selected printing device to a default printing device for each paper size specified in the print job (the printer having the paper size specified becomes the target printer, See Figure 14; Page 8, Paragraph 0107), and a job execution instruction module (included within the client PC) that receives an execution request of a selected print job, and gives a print job execution instruction to cause the default printing device to execute the selected print job, based on the paper size specified in the selected print job (user issues the print order, See Page 12-13, Paragraph 0152).

Regarding claim 2, Hitaka (US Pub. # 20020095352) discloses that the default device setting module sets a printing device connecting with the local network, which the print job creation apparatus is connected, as the default printing device (communicate with each other over the internet, See Figure 1; Page 2-3, Paragraph 0037).

Regarding claim 3, Hitaka (US Pub. # 20020095352) discloses that the default device setting module specifies a printer driver (See Figure 1, Element 102) of a printing device to set the default printing device (See Page 3, Paragraph 0038).

Regarding claim 4, Hitaka (US Pub. # 20020095352) discloses that the default device setting module sets the default printing device for each paper size in a tabular form (paper size within the using conditions, See Figure 14).

Regarding claim 5, Hitaka (US Pub. # 20020095352) discloses that the default device setting module selects the default printing device for each paper size out of a list of printing device options for the paper size (the using condition, See Figure 14).

Regarding claim 6, Hitaka (US Pub. # 20020095352) discloses that the default

device setting module specifies a paper type that is used in the default printing device

set for each paper size (media type, See Figure 14, Element 1403).

Regarding claim 7, Hitaka (US Pub. # 20020095352) discloses a job

transmission module (included within the client PC) that sends a print job to another

print job creation apparatus connected to the network (the center server, See Figure 1,

Element 120, receives a print request from the client, See Page 3, Paragraph 0044),

and a job fetch module (included within the client PC) that fetches a print job through

the network (displays image information fetched from the center server, See Figure 1;

Page 3-4, Paragraph 0047).

Regarding claim 8, Hitaka (US Pub. # 20020095352) discloses that the print job

creation module selects one print service (print shop) among multiple print services to

create the print job (a shop is selected to output the requested data, See Figure 7; Page

7, Paragraph 0096) and the default device setting module sets a default printing device

for each print service (a target printer for each shop that is able to perform the

requested settings of the print data, See Page 7, Paragraph 0097).

Regarding claim 9, Hitaka (US Pub. # 20020095352) discloses that the multiple

print services include an enlargement printing service (poster print, See Figure 14,

Element 1404).

Regarding claim 10, Hitaka (US Pub. # 20020095352) discloses that the print job

creation apparatus also includes an execution device setting module (included within

the client PC) that specifies a printing device for execution of the print job (the target

printer of the print shop according to the print order, See Page 4, Paragraph 0053), and

the job execution instruction module gives the print job execution instruction whenever

the execution device setting module specifies a printing device for the execution of the

selected print job, which causes the specified printing device to execute the selected

print job (whenever the user specifies the selected printer at the print shop, the print

order to transferred to the requested area, See Page 4, Paragraph 0053-0054), and

whenever the execution device setting module does not specify any printing device for

execution of the print job, gives the print job execution instruction to cause the default

printing device set by the default device setting module to execute the selected print job

(the user specifies print setting to have printer searched, See Page 7, Paragraph 0097,

and selected to output the print data, See Page 8, Paragraph 0107).

Regarding claim 11, Hitaka (US Pub. # 20020095352) discloses that the

execution device setting module sets a printing device that is set corresponding to a

paper size specified in the selected print job by the default device setting module, to a

default and changes the setting of the default to specify a printing device for execution

of the print job (once the user sets the conditions for the print data, See Figure 14, it

changes the printer to become the target printer, See Page 8, Paragraph 0107).

Regarding claims 27-30 and 35-44, the rationale provided in the rejection of

claims 1-11 is incorporated herein. In addition, the apparatus of claims 1-11

corresponds to the method of 27-30 as well as the method of claims 35-44 and

performs the steps disclosed herein.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12-26, 31-34 and 45-59 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hitaka (US Pub. # 20020095352) in view of Machida ('564).

Regarding claim 12, Hitaka (US Pub. # 20020095352) discloses a print job

creation apparatus (client PC, See Figure 1, Element 100) that creates a print job and

gives an instruction of executing the created print job (forms a document and creates a

print request to output the selected document, See Page 3, Paragraph 0038). This

includes a print job creation module (included within the client PC) that creates a print

job according to a predetermined process that includes setting the printing conditions

such as a paper size (request a print job that includes setting attribute information such

as a paper size, See Page 3, Paragraph 0038), a default device setting module

(included within the client PC) that selects a printing device used for execution of the

print job from among multiple printing devices (a printer is searched from the print shop

using the print settings, See Page 7, Paragraph 0097) including at least one connected

through a second local network (print shop is directly connected to the center server,

See Figure 1; Page 2-3, Paragraph 0037), which is linked via a global network

(communicate with the client PC over the internet, See Figure 1; Page 2-3, Paragraph

0037), and sets the selected printing device to a default printing device for each paper

size specified in the print job (the printer having the paper size specified becomes the target printer, See Figure 14; Page 8, Paragraph 0107), and a job execution instruction module (included within the client PC) that receives an execution request of a selected print job, and gives a print job execution instruction to cause the default printing device to execute the selected print job, based on the paper size specified in the selected print job (user issues the print order, See Page 12-13, Paragraph 0152).

Hitaka (US Pub. # 20020095352) does not disclose having a printing device connected through a first local network.

Machida ('564) discloses having a printer (See Figure 1, Element 18) connected locally to a client computer (See Figure 1), wherein the client computer is also able to communicate with other printers (See Figure 6) over the network (using the communication port, See Figure 1; Col. 4, Line 13-27).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a printer connected locally, such as the one disclosed within Machida ('564), and incorporate it into the apparatus of Hitaka (US Pub. # 20020095352) because it allows the user to have a default printer in order to output the data in the event that the client computer is unable to connect and transfer the print data to any device over the network.

Regarding claim 13, Hitaka (US Pub. # 20020095352) discloses that the print execution instruction device (print shop, See Figure 1, Element 140), which gives a print job execution instruction to the second local printing device (obtains the print data to give to the printer, See Page 4, Paragraph 0053), is connected to the second local

network (connected with the center server, See Figure 1; Page 2-3, Paragraph 0037),

and the job execution instruction module outputs the selected print job, which is to be

transmitted to the print execution instruction device, whenever the second local printing

device is set to the default printing device for executing of the selected print job (user

outputs the print order to the center server, which then transmits it to the selected print

shop, See Page 4, Paragraph 0053-0054).

Regarding claim 14, Hitaka (US Pub. # 20020095352) discloses that the job

execution instruction module outputs execution request information regarding the

execution request of the selected print job, along with the selected print job that is to be

transmitted to the print execution instruction device (the client sends the print data

together with the print set information to the print shop via the center server, See Page

3, Paragraph 0045).

Regarding claim 15, Hitaka (US Pub. # 20020095352) discloses that the job

execution instruction module sends the selected print job, which it to be transmitted to

the print execution instruction device (print shop), to a print management server (center

server, See Figure 1, Element 120) that is connected with the global network

(connected to the client PC via the internet, See Page 2-3, Paragraph 0037) and is

capable of delivering the selected print job to the print execution instruction device (See

Page 4, Paragraph 0053).

Regarding claim 16, Hitaka (US Pub. # 20020095352) discloses that the default

device setting module uses apparatus-related information regarding the second local

printing device and the print execution instruction device when the second local printing

device is set to the default printing device (uses a printer driver for the printing device information, See Page 3, Paragraph 0038).

Hitaka (US Pub. # 20020095352) does not disclose using execution-related information regarding execution of a print job by the first local printing device whenever the first local printing device is set to the default printing device.

Machida ('564) discloses using execution-related information regarding execution of a print job for the local printing device whenever it is the selected printing device (user uses the local printer to output the selected data, See Figure 1; Col. 4, Line 47-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include execute information to a printer connected locally, such as the one disclosed within Machida ('564), and incorporate it into the apparatus of Hitaka (US Pub. # 20020095352) because it allows the user to have a default printer locally in order to output the data in the event that the client computer is unable to connect and transfer the print data to any print device over the network.

Regarding claim 17, Hitaka (US Pub. # 20020095352) discloses that the default device setting module uses a printer driver (See Figure 1, Element 102; Page 3, Paragraph 0038).

Hitaka (US Pub. # 20020095352) does not disclose having a first local printing device connected through a first local network.

Machida ('564) discloses having a printer (See Figure 1, Element 18) connected locally to a client computer (See Figure 1) to output data to the printer (See Col. 4, Line 47-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a printer connected locally, such as the one disclosed within Machida ('564), and incorporate it into the apparatus of Hitaka (US Pub. # 20020095352) because it allows the user to setup as well as output data to a local printer in the event that the client computer is unable to connect and transfer the print data to any print device over the network.

Regarding claim 18, Hitaka (US Pub. # 20020095352) discloses a job fetch module (included within the client PC) that fetches a print job such that the job execution instruction module gives a print job execution instruction to execute the fetched print job (displays image information fetched from the center server once the print order, which includes the print data and print information, is transferred to the center server and outputted at the printer of the print shop, See Figure 1; Page 3-4, Paragraph 0047).

Hitaka (US Pub. # 20020095352) does not disclose fetching the print job through a first local network.

Machida ('564) discloses having a printer (See Figure 1, Element 18) connected locally to a client computer (See Figure 1) to output data to the printer (See Col. 4, Line 47-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a printer connected locally, such as the one disclosed within Machida ('564), and incorporate it into the apparatus of Hitaka (US Pub. # 20020095352) because it allows the user to setup as well as output data to a local printer in the event that the client computer is unable to connect and transfer the print data to any print device over the network.

Regarding claim 19, Hitaka (US Pub. # 20020095352) discloses that the job fetch module fetches the print job through the global network (through the internet, See Figure 1; Page 2-3, Paragraph 0037).

Regarding claims 20-26, 31-34 and 45-59, the rationale provided in the rejection of claims 2-6 and 8-19 are incorporated herein. In addition, the apparatus of claims 2-6 and 8-19 corresponds to the apparatus of claims 20-26 as well as the method of claims 31-34 and 45-59 and performs the steps disclosed herein.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Sumiyama (US Pub. # 20020036799).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

2/7/08

VmR

Vincent M. Rudolph
Examiner
Art Unit 2625

GABRIEL GARCIA
PRIMARY EXAMINER